



Town of Wilmington
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October 22, 2020

Melanie Morash, Remedial Project Manager
United States Environmental Protection Agency
Office of Site Remediation and Restoration
Suite 1100-HBO
One Congress Street
Boston, MA 02114-2023

RE: Comments on Proposed Cleanup Plan
Olin Chemical Superfund Site
Wilmington, Massachusetts

Dear Ms. Morash:

The environmental and geotechnical engineering firm for the Town of Wilmington (GeoInsight) is submitting separately its written technical comments concerning USEPA's proposed remedial plans. Wilmington takes this opportunity to articulate its non-technical and related concerns and comments.

Wilmington residents and their Town government did not cause or contribute to the decades-long contamination of the Eames Street property, off-Site private residential and commercial properties, a major aquifer, and five of the Town's nine drinking water wells by Olin Corporation and other potentially responsible parties. Nor, apart from commenting on technical reports and work plans, were they in a position to manage or mitigate that contamination. Wilmington therefore should be afforded ample opportunity to contribute to decision-making concerning the selection and scope of plans to remediate that contamination in all affected environmental media and locations.

The ecological toll of the contamination has been dramatic. It continues to impose heavy burdens on private properties and public water resources. It also has imposed heavy financial and administrative burdens on local government. The Town for many years has had to engage peer review environmental and geotechnical consultants and legal counsel to monitor and address a wide variety of engineering and legal issues arising from the contamination, as well as premature and problematic redevelopment proposals.

Remediation should make good on the original declared goal of restoring the health of the Maple Meadow and Aberjona aquifers and the viability of Wilmington's drinking water resources. This goal is appropriate and necessary. Compromising it would undermine the credibility of the Agency's environmental protection mandate, send a counterproductive message to other polluters, and sacrifice this vital opportunity to truly restore an ecosystem and public resources that have been so severely damaged by the legally responsible parties.

As noted, and USEPA is aware, Olin is working to offset clean-up costs by selling the Site or facilitating redevelopment; resulting redevelopment proposals have been under evaluation by other agencies for many years. It therefore is important that remedial measures be sufficient to withstand any potential redevelopment and not be compromised by concerns with the cost that thorough remediation would impose on Olin.

As the Agency is aware, the impacts and proceedings concerning the Site predate USEPA's involvement. They have included the DAPL pools and resulting MADEP-mandated slurry wall "containment cell." Wilmington has long been concerned that, as now amply demonstrated, the wall might not have not been installed properly, its integrity is suspect, and it has allowed the migration of DAPL contaminants to surrounding media and off-Site. There is no question that significant contamination remains inside the containment area.

The Town has always advocated for the complete cleanup of the Olin Site and the areas that it has impacted, and full remediation would be the Town's preference for the containment area. That said, the Town recognizes that a substantial and secure cap of the containment cell could be a valid and often used method for containing contaminants. If a cap is to be employed, it is essential to prevent migration of contaminants or development of new pathways. Absent removal of the contaminated soil and more aggressive groundwater extraction measures, we urge USEPA to rigorously re-evaluate at each Five-Year Review, or more frequently, whether the implemented cap and extraction measures are proving as effective as necessary to stem the migration of DAPL and groundwater contamination from the containment cell area.

We recognize that the contemplated 5,000 ng/L NDMA target for DAPL hot spot extraction is associated with an Interim Action and that a lower concentration target is expected to be adopted in the future. However, the 5,000 ng/L level departs dramatically from existing guidelines. The risk that this extraction standard for the pernicious carcinogen would not later be substantially reduced – whether due to objections of cost or inefficiency, or conceivably "bureaucratic momentum" – is not acceptable. It was the presence of elevated NDMA in groundwater at and near the Site that forced the closure of the majority of the Town's drinking water wells more than 15 years ago and has made it necessary for Wilmington to purchase water for the foreseeable future at great cost to its taxpayers. NDMA also has been an abiding health concern for many residents whose neighborhoods surround the Olin Site. The incremental effort and cost to extract groundwater based on lower levels of NDMA would be modest when compared to its greater protection for an ecosystem and community that have been upended by this very contaminant. We therefore implore USEPA to earnestly re-evaluate the need for a far lower target level as it develops further and final remedial plans.

Meanwhile, the proposed plan to address LNAPL and surface water contamination can and should be better tailored to promote restoration of the aquifer. GeoInsight has proposed a hybrid of measures and alternative measures that USEPA identified in its Proposed Cleanup Plan. For the reasons it has articulated, the combined alternative of LNAPL excavation and groundwater extraction wells within the excavated area has many advantages over the currently proposed approach that emphasizes a multi-phase extraction system. Wilmington supports the more efficient and effective combined alternative.

Also relevant to the health of local water resources is the potential for interbasin transfer when implementing Site-related groundwater remedies. The Olin Site straddles the Ipswich River and Aberjona watersheds. Securing the health and viability of aquifers and watersheds requires, of course, not only preventing or remediating contamination but also preventing major changes to the resources' essential hydrological characteristics. We

therefore urge USEPA to require that the extraction, treatment, and discharge of groundwater once treated be designed and implemented, insofar as practicable, in ways that minimize transfer of groundwater between these two impacted watersheds.

Finally, regarding institutional controls, Wilmington is prepared to actively cooperate with USEPA to develop and implement appropriate restrictions on certain uses of private wells in areas specifically impacted by the Site contamination. We appreciate USEPA's assurances that these and other institutional controls are intended to complement – not supplant – demanding engineering remedies. Nonetheless, Wilmington reiterates its request that USEPA more specifically identify the nature, scope, and geographic areas for contemplated bylaw or other locally-imposed restrictions or conditions on residential or industrial water usage and/or use or construction of private wells for irrigation, drinking water, or other purposes. While such restrictions are likely needed in some fashion and to some extent, they will add to the burdens the Olin Site already has imposed on local residents and businesses. The scale, terms and duration of any new restrictions therefore are matters of legitimate concern. To fairly restrict the activities of an innocent population demands transparency, as well as very substantial fundamental remedies imposed on those who actually are responsible for the problem. Because such restrictions are being factored into the development of the larger remedial plan, USEPA needs to communicate now, and include in its record of decision, meaningful explanations of what is contemplated.

Wilmington has been and remains committed to working with USEPA on these matters of vital importance to our residents and natural resources. Please let us know if you have any questions concerning these comments.

Sincerely,



Jonathan R. Eaton
Chairman

cc: Board of Selectmen
Jeffrey M. Hull, Town Manager
Michael J. Woods, DPW Director
Shelly M. Newhouse, Health Director
Valerie J. Gingrich, Planning & Conservation Director
Elizabeth E. Sabounjian, Chairman, Board of Health
Kevin Trainer, PG, LSP, GeoInsight
Daniel R. Deutsch, Esquire